

Maine Revised Statutes

Title 24: INSURANCE

Chapter 21: MAINE HEALTH SECURITY ACT

§2902-B. STATUTE OF LIMITATIONS FOR MENTAL HEALTH PROFESSIONALS FOR CLAIMS BASED ON SEXUAL ACTS

(WHOLE SECTION TEXT REPEALED 7/1/17)

(WHOLE SECTION TEXT EFFECTIVE UNTIL 7/1/17)

1. Limitation. Except as provided in Title 14, section 752-C, actions for professional negligence based on a sexual act engaged in by a professional listed in subsection 3 with a person during the period of time that person was a patient or client of the professional must be commenced within 6 years after the cause of action accrues. For purposes of this section, a cause of action accrues on the date of the act or omission giving rise to the injury.

[2013, c. 329, §3 (NEW) .]

2. Definitions. As used in this section, the following terms have the following meanings.

A. "Patient or client" means a person who receives counseling or treatment from a professional listed in subsection 3. [2013, c. 329, §3 (NEW) .]

B. "Sexual act" means the following:

(1) A sexual act, as defined in Title 17-A, section 251, subsection 1, paragraph C; or

(2) Sexual contact, as defined in Title 17-A, section 251, subsection 1, paragraph D. [2013, c. 329, §3 (NEW) .]

[2013, c. 329, §3 (NEW) .]

3. Professionals. Subsection 1 applies with respect to the following types of professionals:

A. A psychiatrist licensed in this State; [2013, c. 329, §3 (NEW) .]

B. A psychologist licensed in this State; [2013, c. 329, §3 (NEW) .]

C. A clinical social worker licensed in this State; [2013, c. 329, §3 (NEW) .]

D. A social worker certified in this State; [2013, c. 329, §3 (NEW) .]

E. A clinical professional counselor licensed in this State; [2013, c. 329, §3 (NEW) .]

F. A pastoral counselor licensed in this State; [2013, c. 329, §3 (NEW) .]

G. A marriage and family therapist licensed in this State; and [2013, c. 329, §3 (NEW) .]

H. A clinical professional counselor licensed in this State. [2013, c. 329, §3 (NEW) .]

[2013, c. 329, §3 (NEW) .]

4. Repeal. This section is repealed July 1, 2017.

[2013, c. 329, §3 (NEW) .]

SECTION HISTORY

2013, c. 329, §3 (NEW) .

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